

AMENDED IN SENATE AUGUST 7, 2000

AMENDED IN SENATE JULY 14, 1999

AMENDED IN SENATE JUNE 24, 1999

AMENDED IN ASSEMBLY MARCH 25, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 278

Introduced by Assembly Member ~~Honda Reyes~~
(~~Coauthors: Assembly Members Knox, Kuehl, Lempert,~~
~~Romero, and Washington~~)
(~~Coauthor: Senator Solis~~)

February 4, 1999

~~An act to add Section 11465.6 to the Welfare and Institutions Code, relating to human services. An act to add Sections 31664.21 and 31676.17 to the Government Code, relating to county employees' retirement.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 278, as amended, ~~Honda Reyes. Foster care providers: child care payments~~ County employees' retirement: benefits.

Under the County Employees Retirement Law of 1937, service retirement benefits for safety members are based on a 2% at age 50 formula and those benefits for nonsafety members are based on one of several specified formulae adopted by the county board of supervisors.

This bill would authorize the board of supervisors in Fresno County to adopt a 2.5% at age 50 formula for safety members

and a 2.5% at age 55 formula for nonsafety members in that county.

~~Existing law provides for the Aid to Families with Dependent Children Foster Care (AFDC-FC) program, under which each county provides payments to foster care providers on behalf of qualified low-income children, through a combination of county, state, and in certain instances, federal funds.~~

~~This bill would, in accordance with specified findings and declarations, and subject to federal approval, permit each county to implement a countywide program for all licensed family homes or relative caregivers receiving AFDC-FC payments, under which they may receive reimbursement for the cost of licensed child care for children under 12 years of age, under specified conditions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~—no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. (a) The Legislature finds and declares~~
 2 *SECTION 1. Section 31664.21 is added to the*
 3 *Government Code, to read:*
 4 *31664.21. (a) Notwithstanding any other provisions*
 5 *of this chapter, the current service pension or the current*
 6 *service pension combined with the prior service pension*
 7 *is an additional pension for safety members purchased by*
 8 *the contributions of the county or district sufficient when*
 9 *added to the service retirement annuity to equal the*
 10 *fraction of one-fortieth of the member's final*
 11 *compensation set forth opposite his or her age at*
 12 *retirement taken to the preceding completed quarter*
 13 *year in the following table, multiplied by the number of*
 14 *years of current service or years of current and prior*
 15 *service with which the member is entitled to be credited*
 16 *at retirement, but in no event shall the total retirement*
 17 *allowance exceed the limitation of the safety member's*
 18 *final compensation as set forth in Section 31676.1 as it now*
 19 *reads or may hereafter be amended to read:*
 20

	<i>Age at retirement</i>	<i>Fraction</i>
1		
2	41 .....	.6258
3	41 ¹ / ₄ .....	.6350
4	41 ¹ / ₂ .....	.6442
5	41 ³ / ₄ .....	.6533
6	42 .....	.6625
7	42 ¹ / ₄ .....	.6720
8	42 ¹ / ₂ .....	.6814
9	42 ³ / ₄ .....	.6909
10	43 .....	.7004
11	43 ¹ / ₄ .....	.7102
12	43 ¹ / ₂ .....	.7200
13	43 ³ / ₄ .....	.7299
14	44 .....	.7397
15	44 ¹ / ₄ .....	.7499
16	44 ¹ / ₂ .....	.7601
17	44 ³ / ₄ .....	.7703
18	45 .....	.7805
19	45 ¹ / ₄ .....	.7910
20	45 ¹ / ₂ .....	.8016
21	45 ³ / ₄ .....	.8021
22	46 .....	.8226
23	46 ¹ / ₄ .....	.8339
24	46 ¹ / ₂ .....	.8452
25	46 ³ / ₄ .....	.8565
26	47 .....	.8678
27	47 ¹ / ₄ .....	.8780
28	47 ¹ / ₂ .....	.8882
29	47 ³ / ₄ .....	.8983
30	48 .....	.9085
31	48 ¹ / ₄ .....	.9194
32	48 ¹ / ₂ .....	.9304
33	48 ³ / ₄ .....	.9413
34	49 .....	.9522
35	49 ¹ / ₄ .....	.9641
36	49 ¹ / ₂ .....	.9761
37	49 ³ / ₄ .....	.9880
38	50	1.0000
39	50 ¹ / ₄	1.0130

1	50 ¹ / ₂	1.0259
2	50 ³ / ₄	1.0387
3	51	1.0516
4	51 ¹ / ₄	1.0656
5	51 ¹ / ₂	1.0796
6	51 ³ / ₄	1.0937
7	52	1.1078
8	52 ¹ / ₄	1.1231
9	52 ¹ / ₂	1.1384
10	52 ³ / ₄	1.1538
11	53	1.1692
12	53 ¹ / ₄	1.1859
13	53 ¹ / ₂	1.2028
14	53 ³ / ₄	1.2195
15	54	1.2336
16	54 ¹ / ₄	1.2547
17	54 ¹ / ₂	1.2730
18	54 ³ / ₄	1.2915
19	55 and over	1.3099

20

21 (b) The fractions herein set forth shall be used until
 22 adjusted by each board for its retirement system in
 23 accordance with the interest and mortality tables
 24 adopted by each such board.

25 (c) Contributions shall not be made by safety
 26 members having credit for 30 years of continuous service.

27 (d) This section shall apply to Fresno County only.

28 (e) This section shall not be operative in any county
 29 until such time as the board of supervisors shall, by
 30 ordinance, make this section applicable in the county.

31 SEC. 2. Section 31676.17 is added to the Government
 32 Code, to read:

33 31676.17. (a) This section may be made applicable in
 34 any county on the first day of the month after the board
 35 of supervisors of the county adopts, by majority vote, a
 36 resolution providing that this section shall become
 37 applicable in the county. Notwithstanding any other
 38 provisions of this chapter, the current service pension or
 39 the current service pension combined with the prior
 40 service pension is an additional pension for members

purchased by the contributions of the county or district sufficient, when added to the service retirement annuity, to equal the fraction of one-fortieth of the member's final compensation set forth opposite the member's age at retirement, taken to the preceding completed quarter year, in the following table multiplied by the number of years of current service or years of current and prior service with which the member is entitled to be credited at retirement, but in no event shall the total retirement allowance exceed the member's final compensation.

<i>Age at Retirement</i>	<i>Fraction</i>
50 .....	.7454
50 ¹ / ₄ .....	.7561
50 ¹ / ₂ .....	.7668
50 ³ / ₄ .....	.7775
51 .....	.7882
51 ¹ / ₄ .....	.7998
51 ¹ / ₂ .....	.8114
51 ³ / ₄ .....	.8230
52 .....	.8346
52 ¹ / ₄ .....	.8472
52 ¹ / ₂ .....	.8598
52 ³ / ₄ .....	.8724
53 .....	.8850
53 ¹ / ₄ .....	.8987
53 ¹ / ₂ .....	.9125
53 ³ / ₄ .....	.9262
54 .....	.9399
54 ¹ / ₄ .....	.9549
54 ¹ / ₂ .....	.9699
54 ³ / ₄ .....	.9849
55	1.0000
55 ¹ / ₄	1.0111
55 ¹ / ₂	1.0223
55 ³ / ₄	1.0335
56	1.0447
56 ¹ / ₄	1.0597
56 ¹ / ₂	1.0747

1	56 ³ / ₄	1.0898
2	57	1.1048
3	57 ¹ / ₄	1.1207
4	57 ¹ / ₂	1.1367
5	57 ³ / ₄	1.1526
6	58	1.1686
7	58 ¹ / ₄	1.1855
8	58 ¹ / ₂	1.2025
9	58 ³ / ₄	1.2195
10	59	1.2365
11	59 ¹ / ₄	1.2547
12	59 ¹ / ₂	1.2729
13	59 ³ / ₄	1.2911
14	60 and over	1.3093

15

16 *(b) In any county operating under this section any*
 17 *limitations in any provisions of this chapter upon the*
 18 *amount of compensation used for computing rates of*
 19 *contributions shall be disregarded.*

20 *(c) Wherever in this chapter reference is made to*
 21 *survivorship benefits and rights under Section 31676.1,*
 22 *the same shall apply to this section.*

23 *(d) This section shall apply to Fresno County only.*

24 *(e) This section shall not be operative in any county*
 25 *until such time as the board of supervisors shall, by*
 26 *ordinance, make this section applicable in the county.*

27 *as follows:*

28 ~~(1) It is the intent of the Legislature in enacting this~~
 29 ~~act to accomplish all of the following:~~

30 ~~(A) To provide safe and stable homelike placements~~
 31 ~~for children served by the foster care system.~~

32 ~~(B) To recruit and retain high quality foster and~~
 33 ~~adoptive families to ensure an adequate supply of homes~~
 34 ~~for abused and neglected children.~~

35 ~~(C) To avoid costly and often inappropriate~~
 36 ~~placements of young children into group homes, foster~~
 37 ~~family agencies, and emergency shelters.~~

38 ~~(D) To reduce the financial barriers for current foster~~
 39 ~~parents and relative caregivers in finding high quality~~
 40 ~~child care so that they may attend administrative~~

1 ~~hearings, foster care training, be employed outside the~~
2 ~~home when necessary, or participate in required~~
3 ~~activities related to fulfilling their foster caregiving~~
4 ~~responsibilities.~~

5 ~~(E) To provide enhanced opportunities for~~
6 ~~permanent placement for children, in particular to~~
7 ~~ensure support for kinship care and to persons who~~
8 ~~become adoptive parents.~~

9 ~~(2) Child care in a high quality setting can provide~~
10 ~~children with experiences that enhance their social,~~
11 ~~emotional, and behavioral development, and their~~
12 ~~successful transition into elementary school.~~

13 ~~(3) Foster children and their foster families shall be~~
14 ~~provided the resources and support necessary to ensure~~
15 ~~optimal growth and development in a cost-effective~~
16 ~~manner.~~

17 ~~(b) The Legislature finds and declares that this act~~
18 ~~provides offsetting savings to the state and counties based~~
19 ~~on the following:~~

20 ~~(1) Reduced utilization of emergency shelter~~
21 ~~placements.~~

22 ~~(2) Reduced utilization of foster family agencies and~~
23 ~~group home placements.~~

24 ~~(3) Reduced social work activity due to fewer~~
25 ~~disrupted placements.~~

26 ~~SEC. 2. Section 11465.6 is added to the Welfare and~~
27 ~~Institutions Code, to read:~~

28 ~~11465.6. (a) At the option of each county, a county~~
29 ~~may implement a countywide program for all licensed~~
30 ~~family homes or relative caregivers receiving payments~~
31 ~~under this chapter under which they may receive~~
32 ~~reimbursement for the cost of licensed child care for each~~
33 ~~foster child through 12 years of age in the care of the~~
34 ~~licensed family home or the relative caregiver, during the~~
35 ~~times that any of the following circumstances are met:~~

36 ~~(1) The foster parent or relative caregiver is working~~
37 ~~outside the home.~~

38 ~~(2) The foster parent or relative caregiver is~~
39 ~~participating in required foster care training.~~

~~(3) The foster parent or relative caregiver is fulfilling necessary foster care related administrative duties, such as conferences and judicial reviews, that are not ordinary parental duties.~~

~~(b) A foster family home shall only receive a reimbursement for child care that is provided by a licensed provider and if an agreement has been documented in the child's case plan.~~

~~(c) The cost for reimbursements authorized by this section shall be consistent with applicable state-county sharing ratios.~~

~~(d) The department shall, in consultation with counties, establish rates of child care reimbursements pursuant to this section.~~

~~(e) Each participating county shall report to the department on an annual basis. The information reported to the department shall be determined by the department in consultation with the County Welfare Directors' Association. At the minimum, the annual report shall include the number of foster parents claiming a child care reimbursement under this section and the number of children served.~~

~~(f) (1) Implementation of this section shall be contingent upon the receipt of federal financial participation. If necessary, the department shall, by April 1, 2000, submit an amendment to the state plan under Subtitle E (commencing with Section 470) of Title IV of the federal Social Security Act (42 U.S.C. Sec. 670 et seq.) to the United States Department of Health and Human Services to reflect the provisions of this section.~~

~~(2) Although this section shall not be implemented unless federal financial participation is received in accordance with paragraph (1), if this section is implemented its application shall not be limited to persons for whom federal financial participation is available.~~